

## **FISCAL NOTE**

### **SB 1088 - HB 1634**

March 10, 2003

#### **SUMMARY OF BILL:**

- Makes various "housekeeping" changes to the law relative to polygraph examiners including deleting obsolete references to the Board of Polygraph Examiners and replacing it with language recognizing the Private Investigative and Polygraph Commission.
- Makes various changes to the issuance of polygraph examiner internship permits.
- Provides that in the event a complaint is filed against a polygraph examiner by an examinee, the examiner may be required to submit to a polygraph examination if he/she has not maintained audio and/or video tapes of all examinations. Current law requires the examiner to submit to such an examination.
- Eliminates the requirement that prior to an examination, the examinee shall sign a notification form containing the following information:
  1. that the examinee has the right to make a written request for an audio recording of the examination.
  2. the name and address of the Board of Polygraph Examiners.
  3. that the examinee has a right to file a complaint with the Board if he/she believes that he/she has been mistreated.
- Eliminates the requirements:
  1. that the examinee shall be able to review the questions for an employment examination prior to the examination.
  2. that the examinee for an employment examination shall be shown a list of areas that the examination will not cover.
- Deletes the requirement that an examiner record the exam if requested by an examinee.
- Provides that it is a Class C misdemeanor, under certain circumstances, to conclude a polygraph examination without affording the examinee a reasonable opportunity to explain any deceptive reactions to relative questions that are evident on the charts.

#### **ESTIMATED FISCAL IMPACT:**

**Increase Local Govt. Revenues - Not Significant**

**Increase Local Govt. Expenditures - Not Significant**

Impact depends upon the number of persons convicted of this offense and the resulting increased cost to local governments to confine such persons versus the increased revenues to local governments from fines levied and collected under the provisions of this bill.

#### **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director